



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No.

PAUL S MADAN
MADAN, MOSSMAN & SRIRAM, PC
2603 AUGUSTA, SUITE 700
HOUSTON, TX 77057-1130

COPY MAILED

DEC 30 2004

OFFICE OF PETITIONS

In re Application of
Christopher Shaw, Cindy Crow,
Bill Aeschbacher,
Sunder Ramachandran, Mitch Means
and Paulo Tubel
Application No. 10/641,350
Filed: August 14, 2003
Title: SUBSEA CHEMICAL INJECTION
UNIT FOR ADDITIVE INJECTION AND
MONITORING SYSTEM FOR OILFIELD
OPERATIONS
Attorney Docket No. 194-26936-US

DECISION ACCORDING STATUS
UNDER 37 C.F.R. § 1.47(a)

This is in response to the "REQUEST FOR RECONSIDERATION OF
PETITION UNDER 37 C.F.R. § 1.47(a) . . .," filed October 15, 2004.

The petition is **GRANTED**.

The above-identified application was filed on August 14, 2003, without an executed oath or declaration. In response to a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted (Notice)," mailed November 12, 2003, on May 12, 2004, applicants filed the initial petition under § 1.47. However, by decision mailed July 15, 2004, the petition was dismissed for failure to show that inventor Tubel had refused to join in the application after having been presented with the application papers. (The evidence presented only supported a conclusion that attempts to present the declaration and assignment papers to inventor Tubel were made.)

On instant renewed petition¹, by declaration of patent attorney Chandran Kumar, rule 47 applicants have demonstrated that a *bona fide* attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the non-signing inventor. The petition includes a copy of the cover letter transmitting the application papers by certified mail - restricted delivery to inventor Tubel and a copy of the signed return receipt. It is concluded that petitioner has now shown that inventor Tubel is unavailable to join in the application within the meaning of § 1.47(a).

¹ This response was made timely by an accompanying petition (and fee) for extension of time for response within the first month.

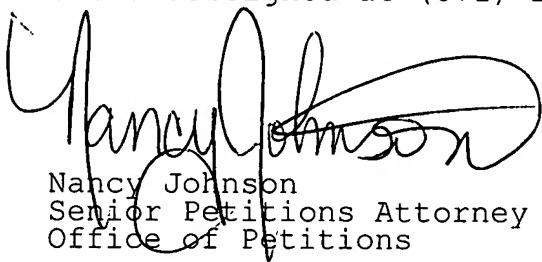
The declaration filed May 12, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application will be examined in Technology Center AU 3672 in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions